PATTERNS OF POWER · THE GENEALOGY OF PROPERTY

Second Nature

A Genealogy of Private Property and the Free Market — How a Made Arrangement, Backed in the Last Instance by Force, Was Warranted as the Order of Nature by Each Age in Turn; How the Warrant Mutated from God's Gift to Adam, to the Dictate of Reason, to the Fruit of Labour, to a Useful Convention, to an Iron Law, to a Mathematical Equilibrium, to an Evolved Order No Mind Designed, to a Self-Correcting Creed — While the Function Never Changed; and Why the Genealogy Does Not Abolish Property but Returns It to Politics, as a Thing a Free People May Argue Over Rather than a Nature They Must Obey — 1493–2026

Thomas J. Bryan

with Claude (Anthropic)

PATTERNS OF POWER · 2026

PREFACE

The collection has already traced one of the two great doctrines of the modern world to its source. A previous study followed the revolutionary lineage — from the Jacobin republic of virtue through Marx and the canonisation of the science of history to Lenin's vanguard and the state it built — and showed how a situated insight became an inherited scripture that read its every failure as the unfaithfulness of others. This volume performs the same work on the other doctrine. It is a genealogy of the market church's scripture: a tracing of where the idea came from that private property and the free market are not arrangements some power built and holds, but the natural condition of humankind, the neutral ground that appears of its own accord when force and custom step back.

That idea, the volume argues, is the deepest belief the market order possesses, because a doctrine that has passed itself off as nature need not be defended as a choice and cannot be contested as an imposition. And it has a history. Across five centuries the warrant for property and the market mutated through eight forms — the gift of God to Adam; the dictate of a reason that would bind even if there were no God; the fruit of labour and improvement; a useful human convention, admitted and then forgotten; an iron law of population that naturalised the poverty the arrangement produced; a mathematical equilibrium settling like a body to rest; an order grown rather than designed; and at last a self-correcting creed — while the function never changed. The function was always to convert a made arrangement, resting in the last instance on force, into the order of nature, beyond the reach of politics.

A word about scope, because the method is easily mistaken for a debunking and is not one. To show that property is made rather than found is not to show that it is bad, nor that it should be abolished, nor that any arrangement of it is unjust; a made thing may be a good thing, and an evolved institution a beneficial one. The genealogy refuses not property but its *naturalisation* — the move that removes a contestable arrangement from the realm of things a free people may argue over and installs it in the realm of things they must simply accept. The target is the warrant, not the thing it warrants. The method is the collection's: load-bearing specifics verified before assertion; the genuine goods of each thinker credited; the strongest objections — including the charge that genealogy commits the genetic fallacy — held at full strength; and the conditions under which the verdict would fail published at the close. The genealogy's gift is not to abolish property but to return it to politics. *Tested, not revealed.*

A NOTE ON THIS COLLABORATION

This volume, like the rest of the collection, is a collaboration between a human author and an artificial intelligence. The framework is Thomas J. Bryan's: the reading of every durable order as a made arrangement rather than a nature, resting in the last instance on a floor of force; the recognition that the chief work of government is to declare who owns what, so that nearly everything else is downstream of that primary act; the insistence that private property and the rule of law backing it are man-made concepts and not a neutral base; and the synthesis — built across the collection's studies of the two churches and the petrodollar's lever — that the market doctrine's claim to naturalness is the oldest and most effective of managed beliefs. The historical reconstruction, the verification of every figure, date, and quotation, and the drafting are Claude's (Anthropic), working under the author's direction and to the project's standing rules. The truth of no religion is adjudicated; the analysis is of how each warrant functioned. The suffering the warrants licensed — the dispossessed frontier, the workhouse, the famine read as natural law — is held with gravity, and counted, in the collection's discipline, as a human fact and not an illustration.

THE ARGUMENT IN ELEVEN PARTS

The genealogy, in eleven parts, runs as follows.

Part I — The Ground Beneath the Floor. The thesis: that property and the market present themselves as the neutral baseline when they are made arrangements resting on force; that government's declared purpose, on Locke's own testimony, is to settle who owns what; and that the warrant which naturalises the made thing has changed its name in every age while never changing its work.

Part II — The First Warrant: God Gave It to Adam. The theological warrant in two forms: Filmer's doctrine that God made Adam the first king and sole proprietor; and the papal donation of the New World by *Inter Caetera* (1493) and the Doctrine of Discovery — property as a gift from heaven, the force beneath it rendered holy.

Part III — The Lawyers Who Put Nature Where God Had Been. The first mutation: how the School of Salamanca rejected the papal donation while supplying natural-law warrants; and how Grotius detached natural law from God — valid "even if there were no God" — grounding property in human nature rather than divine command.

Part IV — Locke, and the Labour That Made It Yours. How Locke demolished Filmer and built the replacement: property from self-ownership and the mixing of labour; the provisos that limited the right and the money that dissolved them; and the candid declaration that government has no other end than the preservation of property.

Part V — The Improvement That Emptied the Land. How the secular warrant did the theological one's work: Locke's concept of improvement, by which unimproved land counted as waste; the doctrines of *vacuum domicilium* and *terra nullius*; and the force at the frontier that the warrant of nature concealed.

Part VI — The Scots Who Knew It Was Made. The great irony: that the tradition's deepest minds denied property was natural — Hume holding it an artificial convention founded on an invented justice, Smith historicising it through the four stages and turning a cold eye on the merchants who would later claim him.

Part VII — The Law That Naturalised the Poverty. How the warrant migrated to property's consequences: Malthus recasting poverty as an iron law of population to refute the radicals who blamed bad arrangements; Ricardo's iron law of wages; and the cruelty of the New Poor Law that the naturalisation licensed.

Part VIII — The Market Becomes a Machine. The mathematical warrant: how the marginal revolution of the 1870s recast the market as a system of equilibrium settling to its natural state like a physical body, and how a property of an idealised model came to be mistaken for the natural condition of the economy.

Part IX — The Order No Mind Designed. The most sophisticated and most honest warrant: the Austrian conception of the market as a spontaneous order, grown like language and tested by survival; Hayek's knowledge problem; and where this warrant, which concedes the order is made-yet-evolved, nonetheless does not escape the critique.

Part X — The Church of the Self-Correcting. The creedal warrant: how Mont Pèlerin (1947) and its thought collective hardened the evolved-order argument into the doctrine of the self-correcting market; and how Polanyi had already answered it, showing that *laissez-faire was planned* — the market the most made of all orders.

Part XI — The Force Under the Floor. The synthesis: eight warrants, one constant function; the honest distinction between made and arbitrary; the strongest objections held at full strength, including the genetic fallacy; the conditions under which the verdict would fail; and the genealogy's gift — not to abolish property but to return it to politics.

PART I

THE GROUND BENEATH THE FLOOR

The thesis of the whole genealogy, and its method: that private property and the free market present themselves as the neutral baseline of human life, the way things are when no one interferes, when each is in truth a made arrangement resting on a floor of force; that the real and declared purpose of government, on the testimony of the doctrine's own founder, is to settle who owns what; and that the warrant which makes the made thing look natural has changed its name in every age while never changing its work — the companion study to the collection's genealogy of the revolutionary doctrine, tracing now the scripture of the other church

I. The Question Under the Floor

The collection has already traced one of the two great doctrines of the modern world to its roots — followed the revolutionary lineage from the Jacobin republic of virtue through Marx and the canonisation of the science of history to Lenin's vanguard and the state it built, and shown how a situated insight became an inherited scripture that read its every failure as the unfaithfulness of others. This volume performs the same work on the other doctrine. It is a genealogy of the market church's scripture: a tracing of where the idea came from that private property and the free market are not arrangements that some power built and holds, but the natural condition of humankind, the neutral ground that appears of its own accord when government and custom and force step back and let men be. That idea is the deepest and most effective belief the market order possesses, because a doctrine that has succeeded in passing itself off as nature need not be defended as a choice and cannot be contested as an imposition; and the burden of this volume is to show that the idea has a history — that it was made, and remade, by particular thinkers facing particular problems, and that its appearance of timeless naturalness is the most historical thing about it.

The place to begin is the question that the whole doctrine answers and rarely admits it is answering: who owns what, and by what right. Every durable order must settle this question, because the settlement of it is the settlement of nearly everything else — who may use which land, who must work for whom, who eats and who does not, what the law will defend and what it will let perish. The founder of the modern doctrine said so plainly, and the volume will return to his admission because it is more candid than most of what came after him: John Locke held that government has no other end than the preservation of property, that the great and chief reason men leave the state of nature and submit to a common authority is to have their possessions secured. Everything else a government does is, on this account, downstream of that primary act — the declaration and defence of ownership. If that is right, then the rules of property are not one feature of the social order among many but the floor on which the rest of it stands; and the question of where those rules came from, and whose interest they

encode, and whether they are a nature to be obeyed or an arrangement to be argued over, is the question under the floor of the entire edifice.

II. A Warrant That Keeps Changing Its Name

The genealogy that follows has a single shape, and naming it at the outset will let the reader follow the long procession of thinkers without losing the thread. At every stage, the same made thing — the private ownership of the world's land and goods, and the market through which they are exchanged — is handed a *warrant*: an account of why it is legitimate, why it is binding, why it is the way things ought to be or simply are. And at every stage the warrant does the same work, which is to convert the made thing into a natural thing, to take an arrangement that some power built and that rests in the last instance on force, and to present it as the order of nature, prior to and independent of any human choice. What changes across the centuries is only the *content* of the warrant — the name under which the naturalness is claimed. The arrangement was natural, first, because God gave the world to Adam and his heirs. Then because reason, not God, dictated it, and would dictate it even if there were no God. Then because labour created it, mixing the self into the soil. Then, in the hands of the doctrine's subtlest critics, it was admitted to be no nature at all but a useful human convention — and then the admission was forgotten. Then the poverty it produced was naturalised as an iron law of population. Then the market itself was rendered as a mathematical equilibrium, a system that settles to its natural state like a physical body coming to rest. Then as an order grown rather than made, evolved like a language and tested by survival. And finally as a self-correcting creed, the efficient end-state of human economic life, the neutral baseline from which every departure is an interference. Eight warrants, one function.

A word is owed at the outset about what the genealogy does and does not claim, because the method is easy to mistake for a debunking and it is not one. To show that property is made rather than found is not to show that it is bad, nor that it should be abolished, nor that any particular arrangement of it is unjust. A made thing can be a good thing; an evolved institution can be a beneficial one; the convention of property may be, as one of its sharpest analysts believed, enormously advantageous to nearly everyone who lives under it. What the genealogy refuses is not property but the *naturalisation* of property — the move by which a contestable human arrangement, backed by force and serving some interests more than others, is removed from the realm of things a free people may argue about and installed in the realm of things they must simply accept, like the weather or the tides. The target, throughout, is the warrant and not the thing it warrants; the aim is not to tear out the floor but to make it visible as a floor that was laid, by someone, for some purpose, and may therefore be examined, amended, and held to account. With that distinction fixed, the procession can begin, at the warrant that came first and named itself most boldly: that the world, and the right to own it, was given by God to a man.

PART II

THE FIRST WARRANT — GOD GAVE IT TO ADAM

The theological warrant in its two great forms: the English doctrine, given its fullest statement by Sir Robert Filmer, that God granted Adam dominion over the world and made him the first king and sole proprietor, so that property and sovereignty descended together as a divine inheritance; and the Catholic and papal form, by which the vicar of Christ donated whole continents to Christian princes and the conquest of the New World proceeded under the authority of Almighty God — the warrant under which property was a gift from heaven and the force beneath it was holy — 1455–1680

I. Adam the First Proprietor

The first warrant for property was the boldest, because it claimed the highest possible author. In the England of the seventeenth century the doctrine received its most thorough statement from Sir Robert Filmer, whose *Patriarcha*, written in the 1620s or 1630s and published in 1680, argued that the whole structure of ownership and rule descended from a single divine grant. God, in creating Adam, had given him dominion over the earth and everything in it; Adam was therefore not merely the first man but the first king and the sole proprietor of the world, holding both sovereignty and property by the gift of his Creator. From Adam the grant passed to his heirs, through the line of the biblical patriarchs, down to the kings of the present day, so that Charles I of England ruled, on Filmer's account, as Adam's eldest heir, holding his crown and the lands of his realm by the same unbroken divine descent. Property and political authority were one thing in this doctrine, both originating in God's gift to the first man, both inherited rather than made, both placed by their divine origin entirely beyond the reach of any human consent or contract. There was nothing to argue about, because the arrangement was not a human arrangement at all; it was the working-out, across the generations, of a settlement God had made at the creation.

The doctrine is easy to dismiss now, and Locke would dismiss it with contempt within a few years of its publication, but it is worth taking seriously as the purest instance of the move the whole genealogy tracks, because in it the naturalisation of property is total and undisguised. The warrant claims, in so many words, that ownership is not a human institution — that it was instituted by God before there were any humans to institute anything, and that the present distribution of land and rule is the direct continuation of that divine act. A man who accepted this warrant could not coherently ask whether the rules of property were just or unjust, whether they served some and harmed others, whether they might be arranged differently; the question would be a kind of blasphemy, an attempt to

revise at the human level a settlement made at the divine one. The force that actually held the arrangement up — the king's armies, the gallows, the dispossession of those who resisted — disappeared entirely behind the warrant, becoming merely the lawful defence of a God-given order rather than what it was, the floor of coercion beneath a particular distribution of the world. This is the function every later warrant would perform in subtler form: the conversion of force into legitimacy, of arrangement into nature, of a contestable settlement into a fact no subject could question. Filmer simply performed it with the bluntest instrument available, the direct invocation of God.

II. The Donation of a World

The Catholic and papal form of the warrant was, if anything, more consequential, because it was not merely a theory of why kings ruled but a working instrument for the appropriation of continents. The reader raised it precisely: that the Pope, as the vicar of Christ, spoke for God, and that God's authority, channelled through the Church, anointed the prince and sanctioned his dominion. The instrument was the papal bull, and its most famous exercise was *Inter Caetera*, issued by Pope Alexander VI on the fourth of May 1493, the year after Columbus returned from the western ocean. Invoking the authority of Almighty God, the bull granted to the crown of Castile the exclusive right to the lands discovered and to be discovered west of a line drawn through the Atlantic, with the lands to the east reserved, after the Treaty of Tordesillas of the following year, to Portugal. A pope, claiming to speak for the Creator, donated whole hemispheres he had never seen to the Christian princes who would conquer them — and the bull was not an isolated act but the culmination of a series, including the *Romanus Pontifex* of 1455, by which Nicholas V had granted Portugal a monopoly of the African trade and authorised the enslavement of the peoples it found. From these donations descended the Doctrine of Discovery: the principle that the act of Christian discovery conferred a real title to the land, and that the peoples already living on it held, at most, a right of occupancy that the discovering power could extinguish at will.

The structure here is the same as Filmer's, transposed from the question of who shall be king to the question of who shall own the New World, and it shows the warrant doing its work at the largest possible scale. A made arrangement — the seizure of two continents by European powers, accomplished by the floor of force the conquistadors carried with them — was warranted as the execution of a divine donation, so that the conquest appeared not as the armed appropriation it was but as the lawful taking of what God, through his vicar, had given. The force was total and the warrant rendered it holy; the dispossession of the peoples of the Americas proceeded under a document that claimed the authority of heaven, and the *Requerimiento*, the legal text read aloud to uncomprehending native populations demanding their submission to the Church and the crown, made the warrant into a ritual performed before the killing began. It will matter, two parts from now, that this theological warrant did not simply vanish when the natural-law jurists and then Locke replaced God with reason and labour: the conquest continued, and the new secular warrants took up the same work the old holy one had done, justifying the appropriation of a world on grounds that had merely changed their name. But the genealogy must first follow the warrant through the lawyers who began, even within the Catholic tradition itself, to put nature where God had been.

PART III

THE LAWYERS WHO PUT NATURE WHERE GOD HAD BEEN

The first great mutation of the warrant, from divine gift to natural right: how the Spanish scholastics of the School of Salamanca, confronting the conquest, rejected the papal donation as a ground of dominion while supplying new and secular warrants in its place; how Hugo Grotius detached natural law from God altogether, holding that it would bind even if there were no God, and grounded property in human nature rather than divine command; and how this natural-law tradition, carried on by Pufendorf, made property a right that reason discovers rather than a gift heaven bestows — 1539–1672

I. Vitoria and the Dominion of the Indians

The first crack in the theological warrant came, remarkably, from within the Catholic tradition that had issued the papal donation, and it came because the donation could not survive contact with the conquest it was meant to justify. The Dominican theologians of the School of Salamanca, foremost among them Francisco de Vitoria, lecturing in the late 1530s, confronted the question of by what right the Spanish crown held dominion over the peoples of the Americas, and reached a conclusion that undercut the bull of 1493. The papal donation, Vitoria argued, was no valid ground of temporal dominion at all: the Pope had no secular authority over the whole world to give away, and the peoples of the Americas were, under natural law, the true owners of their lands and the holders of genuine political authority over themselves — possessed of real dominion, real property, real rights, which their unbelief did not forfeit. This was a profound limitation on the theological warrant, and it has rightly been honoured as an early statement of the idea that rights inhere in persons by their nature rather than by their faith. But it was not the end of the matter, and the genealogy must be honest about what came next, because Vitoria did not conclude that the conquest was therefore unlawful. Having removed the papal warrant, he supplied natural-law warrants in its place: a natural right of the Spanish to travel and to trade among the peoples of the Americas, a natural right to preach the faith, and a right to make war upon those who wrongfully obstructed these — so that the conquest, denied its theological justification, acquired a natural one.

This is the first appearance of the mutation that the whole genealogy traces, and it is worth dwelling on because it shows the pattern in its purest form: the warrant does not disappear when its current name is discredited; it changes its name and carries on. The force on the ground — the appropriation of the Americas — was a constant; what changed was the account of why it was legitimate, which migrated from the donation of a pope to the dictates of a natural law discovered by reason. Vitoria

genuinely restrained the cruder claim, and the Salamanca school's insistence on the natural rights of conquered peoples was a real moral achievement that ran against the interest of the crown that employed its theologians; the volume credits this fully, in the collection's discipline of crediting the genuine goods on every side. But the same natural law that dignified the Indians with dominion also furnished the grounds on which their dominion could be overridden, and the conquest proceeded under the new warrant much as it had under the old. The lesson is not that the natural-law jurists were hypocrites — they were serious men solving a real problem on the evidence and within the categories available to them — but that the structure they built was capable of doing the work the theological structure had done, with nature standing in for God as the author of the right.

II. Grotius — Right Even If God Did Not Exist

The decisive secularisation came with Hugo Grotius, the Dutch jurist whose *De Jure Belli ac Pacis* of 1625 is commonly called the founding text of the modern natural-law tradition, and whose central move detached the whole edifice from God with a single sentence. Writing amid the catastrophe of the wars of religion, Grotius sought a foundation for law and property and the relations of states that could command assent across the confessional divide — that would bind Catholic and Protestant alike, and so could not rest on any contested revelation. He found it in human nature and human reason, and stated the consequence in the famous passage of his Prolegomena: what he had argued about natural law, he wrote, would hold "even if we should concede that there is no God" — a thing he added could not be conceded without wickedness, but the concession was made, and the point was made with it. Natural law, and the property and obligations it grounds, would be valid even on the supposition of God's non-existence, because its source is not the divine will but, in Grotius's phrase, human nature itself, the rational and social character of the creature who needs the rules in order to live with his fellows. With that sentence the warrant for property completed its migration: ownership was no longer a gift heaven bestowed but a right reason discovered, written into the nature of things and binding by its own rational necessity, independent of any divine grant.

It is one of the genealogy's quiet ironies, and a confirmation of how the warrants build on one another rather than simply replacing each other, that the very sentence by which Grotius cut natural law loose from God appears to have been borrowed from a scholastic of the School of Salamanca — so that the seed of the secularisation lay already inside the Catholic tradition the secularisation would supersede. Grotius's settlement was carried forward and systematised by Samuel Pufendorf, whose great work of 1672 built the most influential modern system of natural law and natural property, explicitly secular and anti-metaphysical in method, and through Pufendorf and Grotius together the new warrant passed into the mainstream of European thought and onto the desk of the Englishman who would give it its most enduring form. For Locke read Grotius and Pufendorf, took from them the framework of a property grounded in nature rather than divine gift, and then did something neither had quite done: he located the precise act by which a man converts the common stock of nature into his own private possession, and in locating it he gave the market order the warrant it would carry, in one form or another, for the next three centuries. The genealogy turns now to him.

PART IV

LOCKE, AND THE LABOUR THAT MADE IT YOURS

The warrant in its most enduring form: how John Locke demolished the theological doctrine of Filmer and then built, on the secular foundation the natural-law jurists had laid, a theory that grounded property in labour — the mixing of the self into the world; the provisos that limited the right, and the introduction of money that quietly dissolved them; and the candid declaration that the preservation of property is the whole end of government — the Anglo instrument, fair to the liberating work it did against absolutism and clear about the warrant it installed — 1689

I. The Refutation and the Replacement

John Locke enters the genealogy as the man who killed the theological warrant and built its replacement, and the two acts belong together, because the replacement was shaped by the demolition. The *Two Treatises of Government*, published anonymously in 1689, open with a sustained and almost contemptuous destruction of Filmer. Across the whole of the First Treatise, Locke proceeds nearly sentence by sentence through *Patriarcha*, denying that God ever gave Adam the sole dominion Filmer claimed, observing that even had He done so there could be no way of identifying Adam's heir among the billions of his descendants thousands of years later, and dismissing the entire doctrine as an affront to common sense — "glib nonsense," in his phrase. With the theological warrant in ruins, the question Filmer had answered stood open and urgent: if kings do not own their realms and rule their subjects by divine descent from the first proprietor, then where does property come from, and what makes any man's possession of any thing legitimately his? Locke's answer, set out in the fifth chapter of the Second Treatise, is one of the most consequential arguments in the history of political thought, and it is built entirely on the secular, natural-law foundation that Grotius and Pufendorf had laid: property is not given by God to a chosen line, but generated by every man, continuously, through the application of his own labour to the world.

The argument begins from self-ownership, which Locke takes as the bedrock: every man has a property in his own person, which nobody has any right to but himself, and from this it follows that the labour of his body and the work of his hands are properly his own. When a man takes something out of the common state in which nature has left it — gathers the acorns, tills the field, draws the water — he mixes his labour with it, and by mixing into it something that is indisputably his own, he annexes it to himself and excludes the common right of others, making it his property. The thing becomes his not because a king or a pope or a god has assigned it to him, but because he has, quite literally, put part of himself into it. This is a genuinely new warrant, and the genealogy must credit its power and, in the

collection's discipline, the liberating work it did in its moment. Against the absolutism Filmer defended, Locke's doctrine was a weapon of emancipation: it located the origin of property in the individual rather than the crown, made every labouring man the author of his own holdings, and grounded a right that the king was bound to respect rather than free to dispose of. The doctrine that government exists to preserve property, which in later centuries would read as a charter for the propertied, was in 1689 a limitation on a monarch who claimed to own everything — a wall around the individual against the arbitrary power the collection's study of the lever examined in King John. Locke was no apologist for the strong; he was, in his moment, an instrument of the subject against the throne.

II. The Labour, the Provisos, and the Money That Dissolved Them

Locke himself saw that the labour theory, left unlimited, would justify a man in engrossing the whole world, and so he hedged it with two provisos that are as important as the theory itself and that the later tradition would quietly let fall away. The first is the famous condition that one may appropriate from the common only where there is "enough, and as good, left in common for others" — so that my taking deprives no one, the world being abundant enough to leave each as well provided as before. The second is the prohibition on spoilage: a man may appropriate only as much as he can use before it perishes, for to take more than one can use, letting it rot, is to take more than one's share and to injure others who might have had it. Within these limits the labour theory is modest and even egalitarian, a warrant for the smallholder's right to what he has worked and no more, bounded by the rights of all the others who must also live from the common stock. Had property stopped here, it would have warranted a world of roughly equal cultivators, each owning what he could work and use, none able to engross the holdings of the rest.

But Locke did not stop there, and the move by which he passes beyond the provisos is the hinge of his whole theory and the point at which the warrant for the smallholder becomes the warrant for unlimited accumulation. The provisos bind, Locke argues, only in the state of nature before the invention of money. For money — gold and silver, things that do not spoil — allows a man to sell the surplus he cannot use before it rots, converting perishable goods into imperishable metal, and so to accumulate without violating the spoilage limit; and because men have, by tacitly agreeing to put a value on money, consented to this, they have consented also to the unequal possession of the earth that it makes possible. With the introduction of money the spoilage proviso falls away, and with it the rough equality the provisos had secured; the "enough and as good" condition follows, as a world of unlimited accumulation fills up and the late-comer finds the common already enclosed. By this argument the labour theory, which began as a warrant for the modest holdings of the man who works the land, becomes a warrant for the vast and unequal accumulations of a commercial society — and it does so while still presenting the whole arrangement as natural, the unequal distribution of the world appearing not as a political settlement that might have gone otherwise but as the rational consequence of a tacit consent men gave when they agreed to value gold. And it was on this foundation, the warrant of labour and improvement, that Locke built his declaration that government has no other end than the preservation of property — the candid statement, from the founder himself, that the chief business of the political order is to secure the unequal distribution his theory had naturalised.

PART V

THE IMPROVEMENT THAT EMPTIED THE LAND

How the secular warrant did the work the theological one had done; Locke's concept of improvement, by which land left in its natural state counted as waste and the labour of cultivation alone conferred title, and how this argument rendered the territories of peoples who did not farm in the European manner as empty, available, and rightly taken; the doctrines of waste land and of no-one's-land that flowed from it; and the force at the frontier that the warrant of nature concealed — 1681–1763

I. Waste and Improvement

Locke's labour theory carried within it a second concept that proved even more consequential than the mixing of labour, and that reveals the force the warrant of nature concealed: the concept of *improvement*. For Locke, it was not labour in the bare sense that conferred the strongest title but labour that *bettered* the land — that cleared, drained, enclosed, planted, and cultivated it, raising its yield and its value above what it had been in its natural state. Labour, he wrote, puts the difference of value on everything, and an acre of cultivated land yields many times what an acre of the same land lying waste in the common would yield; it is the improvement, the husbandry, that makes the far greater part of the value. From this it followed, with a logic that seemed to Locke and his readers simply rational, that land left in its natural state, neither enclosed nor cultivated, was *waste* — unimproved, its value unrealised, its potential lying idle — and that the man who took such land and improved it not only acquired a title to it but did the world a service, turning waste into wealth. The argument has an innocent agricultural face, and in the English context of enclosure it did the work of justifying the conversion of common fields into private farms. But its reach was far larger, because the world was full of land that Europeans judged unimproved, and full of peoples whose relation to that land did not take the European form of enclosure and tillage.

The genealogy must be precise here, because this is the point at which the secular warrant of nature is shown doing exactly the work the theological warrant of conquest had done, and doing it more effectively for being dressed as reason rather than revelation. The peoples of the Americas, hunting and gathering and farming in ways that did not enclose and improve the land in the European manner, appeared through the lens of Locke's theory not as the owners of their territories but as wanderers across a waste that no one had yet made into property. Their land, being unimproved, was in the relevant sense vacant — available to whoever would mix his labour with it and make it yield. Locke himself drew the connection, observing that in the beginning all the world was America, a great

common waiting to be improved into property; and the settler colonists who would take that continent had, in his theory, a warrant for the taking that needed no pope and invoked no God, but rested on the natural and rational principle that the improver acquires what the waster has left idle. The dispossession that the bull of 1493 had warranted as a divine donation, Locke's theory warranted as the natural consequence of improvement — and the second warrant was the more powerful, because it could be accepted by men who had ceased to believe in the first, and because it placed the fault not on the conqueror but on the conquered, whose failure to improve their land had left it open to those who would.

II. The Force at the Frontier

The legal doctrines that grew from this argument carried it into the law of empires and gave the dispossession its enduring form. The principle of *vacuum domicilium* — empty dwelling — held that land not occupied in the recognised European sense of settled cultivation was legally empty and open to appropriation; the broader doctrine of *terra nullius*, no-one's-land, held the same of whole territories, treating the lands of non-agricultural or non-European peoples as belonging to no one and therefore available to the first improving claimant. These doctrines, descended from the improvement argument, justified the appropriation of continents — North America, Australia, much of Africa — on the ground that their existing inhabitants had not, by European lights, made them into property, so that the colonist who enclosed and farmed them was not taking what was another's but making property where none had existed. The warrant of nature thus accomplished, across three centuries of empire, a dispossession as vast as any in history, and it accomplished it while presenting itself as the opposite of force — as the peaceful and rational transformation of idle waste into productive property, the improver's natural reward.

This is the genealogy's central demonstration about the warrant of nature, and it is why the volume insists, against the doctrine's own self-image, that the made arrangement rests in the last instance on force. The improvement argument did not abolish the floor of force beneath the appropriation of the world; it concealed it, by relocating the act of taking inside a theory that made the taking look like making. Behind the natural and rational acquisition of waste land stood, at every frontier, the same force the conquistadors had carried — the militia, the treaty broken, the people removed or killed, the prior occupants whose own relation to the land was not recognised as ownership because it did not take the form the theory required. The warrant of nature was, at the edge of empire, a warrant for conquest as surely as the papal donation had been, and the genealogy records this not to indict Locke, who was a serious thinker solving the real problem of where property comes from, but to establish the point on which the whole study turns: that the appearance of naturalness is precisely what hides the force, and that a made arrangement called natural is a made arrangement whose force has been rendered invisible. The Scots who came after Locke would see this more clearly than he did — would recognise that property was made and not found — and the genealogy turns now to the strange fact that the tradition's own subtlest minds were the ones who knew its naturalness was a fiction.

PART VI

THE SCOTS WHO KNEW IT WAS MADE

The genealogy's great irony: that within the very Scottish Enlightenment from which free-market thought descends, its two deepest minds denied that property was natural at all; how David Hume held property to be an artificial human convention, founded on a justice that is itself invented to meet the circumstances of scarcity; how Adam Smith historicised property through the theory of the four stages and hedged his system of natural liberty within made laws, while turning a cold eye on the merchants who would later claim him; and why the subtlety of the Scots is the strongest evidence the genealogy has that the naturalness of property is a later and cruder fiction — 1739–1776

I. Hume — A Relation Not Natural but Moral

The deepest mind of the Scottish Enlightenment, and one of the deepest in the whole tradition the market church would later claim, held that property is not natural — and he is the genealogy's most powerful witness, because he is a witness for the prosecution who stood inside the very movement from which free-market thought descends. David Hume, in the third book of his *Treatise of Human Nature* of 1739, set out a theory of property that flatly denied it any natural existence. A man's property, Hume wrote, is some object related to him, but the relation is "not natural, but moral," founded on justice — and justice, on Hume's account, is not a natural virtue written into the human constitution but an *artificial* one, a convention that human beings invent to solve a problem nature sets them. The problem is scarcity and the instability of possession: humans face numberless wants with slender means, and there is nothing in nature to fix any object as belonging to any person, so that possession is perpetually insecure and the fruits of industry perpetually at risk. To remedy this, men enter, by a slow and tacit convergence rather than any formal contract, into a convention to stabilise possession — to leave each in the peaceable enjoyment of what he has acquired — and it is this convention, and nothing in nature, that creates property. The origin of justice, Hume wrote, explains the origin of property; the one artifice gives rise to both. Property is a human invention, devised to meet a human need, with no existence prior to the convention that constitutes it.

The significance of this for the genealogy is hard to overstate, because Hume is not an opponent of the market order but one of its formative thinkers, and he reaches the volume's own conclusion by his own road and a century before the doctrine hardened into the creed that would deny it. Hume thought the convention of property enormously beneficial — held that the whole system of property-respecting behaviour, though no single act of it need advantage the agent, is infinitely advantageous to society as a whole, and defended it accordingly. His point was not that property should be abolished because it is artificial, but that it should be understood for what it is: a made thing, a convention adopted because it

works, to be valued for its benefits and not mistaken for a dictate of nature. And he saw, with a clarity the later tradition would lose, that an invented convention binds only those it serves: those, he observed, who are kept in a condition from which the convention brings them no benefit — a permanent underclass forced to respect a property in which they have no share — are under no corresponding obligation of justice toward the property of others. The man who is given nothing by the convention owes nothing to it. That is a radical thought to find at the headwaters of free-market philosophy, and it is there because Hume, unlike his heirs, never pretended that the arrangement was nature. He knew it was made, said so, and defended it as a made thing — which is the tested posture, and the honest one.

II. Smith — The Stages, the Hand, and the Merchants

Adam Smith, Hume's friend and the supposed founding saint of free-market economics, was subtler and more critical than the canon that claims him has generally allowed, and on the question of property he too refused the naturalising move. Smith historicised property through the theory of the four stages, which he developed in his lectures on jurisprudence and which structures the argument of the *Wealth of Nations* of 1776: human societies pass through four modes of subsistence — hunting, herding, farming, and commerce — and property and law evolve with each, the forms of ownership and the very functions of government changing as the mode of subsistence changes. Property, on this account, is not a fixed natural right but a historical institution, taking different shapes in different stages of social development, its content determined by the material conditions of the society that holds it. Smith observed, with a bluntness that sits awkwardly in his free-market reputation, that civil government, so far as it is instituted for the security of property, is in effect instituted for the defence of those who have property against those who have none — a near-echo of the Lockean candour, and a recognition that the property order is a settlement in the interest of the propertied rather than a neutral nature serving all alike. His celebrated "system of natural liberty" is real and is his, but it is hedged at every turn: it operates only within the bounds of justice, which is to say within the made framework of law, and Smith allowed numerous exceptions to it — for defence, for public works, for education, for the gradual and humane management of the transition away from the old mercantile restrictions.

And the merchants whose interest the later free-market doctrine would identify with the public good, Smith regarded with a cold and steady suspicion that is the opposite of the apology his name is now invoked to make. He warned that men of the same trade seldom meet, even for merriment, but the conversation ends in "a conspiracy against the public," or in some contrivance to raise prices; that the masters combine, constantly and silently, to keep down the wages of labour; and that the interest of the merchants and manufacturers is in some respects always opposed to that of the public, so that any proposal of theirs ought to be examined with suspicion and never adopted until long and careful scrutiny. The "invisible hand," the phrase on which a whole ideology would later be hung, appears exactly once in the *Wealth of Nations*, and was for Smith a modest observation about unintended consequences rather than the organising principle of a self-regulating natural order. The genealogy dwells on the real Smith because he is the strongest evidence for its thesis: that the naturalness of property and the market is not the considered view of the tradition's founders but a later simplification, and that the founders themselves — Hume openly, Smith in his historicising and his suspicion of capital — knew the arrangement to be made, conventional, historical, and arranged in someone's

interest. What would come after them, in the iron laws of the nineteenth century and the equilibria of the twentieth, was in large part the forgetting of what the Scots had known.

PART VII

THE LAW THAT NATURALISED THE POVERTY

How the warrant migrated from property to its consequences: how Thomas Malthus, writing expressly to refute the radical claim that poverty was the product of bad arrangements, recast misery as an iron law of nature, the inevitable outrunning of food by population; how Ricardo's iron law of wages and the wider classical economics rendered the subsistence wage and the immiseration of labour as natural necessities; and how this naturalisation of poverty licensed the cruelty of the New Poor Law, withdrawing relief on the ground that suffering was nature's and not society's to remedy — 1798–1834

I. The Polemic Against Perfectibility

The nineteenth century opened a new front in the genealogy, for it extended the warrant of nature from property itself to the poverty that property produced, and it did so in a work written explicitly to defeat the opposite claim. Thomas Malthus published his *Essay on the Principle of Population* in 1798 as a direct polemic against the radical optimists of his day — against William Godwin and the Marquis de Condorcet, who had argued that human misery was not fixed in nature but was the product of bad institutions and unjust arrangements, and that the perfection of those arrangements could progressively abolish poverty. Malthus set out to prove the contrary: that poverty was natural, written into the iron relation between population and food, and therefore beyond the reach of any reform of institutions. His argument was the famous disproportion of the two growths — that population, unchecked, increases geometrically, doubling upon itself, while the food supply can increase only arithmetically, by steady increments — so that population must always tend to outrun subsistence, and the surplus of mouths over food must always be removed by what he called the positive checks: famine, disease, and war, the mechanisms by which nature restores the balance that human fecundity destroys. Poverty and premature death were thus not the failures of a remediable social order but the operation of a natural law as fixed as gravity, and the radical dream of abolishing them by better institutions was a category error, an attempt to repeal a law of nature by an act of legislation.

The genealogy must, in its discipline, credit what was real in Malthus and be precise about where the error lay, because his case was not foolish and the naturalisation it performed was not a simple lie. Malthus had identified a genuine dynamic — the real tendency of populations to press against the limits of their subsistence, a pressure that had in fact shaped much of human history before the agricultural and industrial transformations that would partly escape it. His mistake was not in seeing the pressure but in naming it nature and thereby placing it beyond politics: in concluding, from the real

existence of a population-resource dynamic, that the particular distribution of misery in the England of his day — the labourer at subsistence while the landlord drew his rents — was the working of a natural law rather than the outcome of an arrangement that distributed the society's product as it did. The naturalisation foreclosed the question the radicals had raised, which was not whether resources were finite but whether the suffering they imposed had to fall where it fell. By rendering the labourer's poverty as nature's doing rather than society's, Malthus removed it from the realm of things a polity might choose to remedy and installed it in the realm of things it must simply accept — the same move the whole genealogy tracks, now performed not on the right to own but on the duty to relieve.

II. The Iron Law and the Workhouse

The naturalisation of poverty was carried into the heart of classical economics by David Ricardo, whose work of 1817 gave the doctrine its most rigorous form and contributed the proposition that came to be called the iron law of wages: that the wages of labour tend inexorably toward the minimum required for subsistence, because any rise above it, by Malthusian logic, only multiplies the labourers and drives wages back down, while any fall below it reduces their numbers and drives wages back up — so that the labourer is locked, by a natural law of population and a natural law of the market acting together, at the edge of survival. The classical economics that descended from Smith but hardened in Malthus and Ricardo became, in the phrase of the age, the dismal science precisely because it rendered the misery of the labouring poor as a natural necessity that no benevolence could relieve and no reform could escape. The whole apparatus of the new political economy testified that the distribution of the social product — subsistence to the worker, profit to the capitalist, rent to the landlord — was governed by iron laws, natural in their operation and inexorable in their results, against which the moral objections of the humane were simply the protests of those who did not understand the science.

The cruelty this naturalisation licensed is the genealogy's grimmest demonstration of what is at stake in the conversion of arrangement into nature, and it took concrete legislative form within a generation of Malthus's essay. The New Poor Law of 1834 was built on Malthusian and classical premises, and its harshness flowed directly from the naturalisation of poverty: if misery was nature's doing and not society's, and if relief to the poor only encouraged the population growth that was poverty's natural cause, then generous relief was not merely wasteful but actively harmful, an interference with a natural mechanism that would only multiply the suffering it sought to ease. The law therefore withdrew outdoor relief and confined assistance to the workhouse, deliberately made the workhouse a place of deterrent misery so that only the truly desperate would enter it, and broke up families and stigmatised the pauper in the name of a science that taught that poverty was natural and relief was folly. Here the warrant of nature did its lethal work in the open: a made arrangement — a labour market that paid subsistence and a poor law that denied relief — was warranted as the obedience of policy to natural law, and the suffering it imposed was rendered not as a choice the society had made but as a necessity nature had imposed, against which compassion itself was unscientific. The collection's framework names this the metabolic harm of a doctrine that cannot read its own cruelty as a choice; the naturalisation of poverty is its purest nineteenth-century instance.

PART VIII

THE MARKET BECOMES A MACHINE

The warrant in its mathematical form: how the marginal revolution of the 1870s, worked out independently by Menger, Jevons, and Walras, replaced the labour theory of value with the subjective valuations of consumers and recast the market as a system of equilibrium; how the elegance of the resulting mathematics — supply and demand resolving to a determinate natural price, the whole economy settling toward a general equilibrium like a physical system coming to rest — lent the market the authority of physics; and why the model's equilibrium, a property of idealised assumptions, came to be mistaken for the natural state of the economy — 1871–1900

I. The Subjective Turn

The 1870s produced a transformation in economic thought that handed the market a new and powerful warrant, the warrant of mathematics, and it arrived almost simultaneously from three directions. Within a few years of one another, and substantially independently, Carl Menger in Vienna, William Stanley Jevons in England, and Léon Walras in Switzerland worked out the theory of marginal utility, which solved a problem that had vexed classical economics — the paradox that water, essential to life, is cheap, while diamonds, useless, are dear — and in solving it overturned the classical theory of value. Value, the marginalists argued, derives not from the labour embodied in a thing, as Smith and Ricardo and, on the other side, Marx had held, but from its marginal utility — the usefulness of the last unit of it to the consumer who values it — so that the worth of a thing is set not by the toil that produced it but by the subjective valuations of those who want it, the diamond dear because its marginal unit is scarce and craved, the water cheap because its marginal unit, in a world of plenty, is barely wanted. This subjective turn relocated the source of economic value from the objective process of production to the psychology of the consumer, and in doing so it dissolved the labour theory of value that had been common ground from Locke through Smith to Ricardo, replacing it with a theory in which the market's prices reflect the aggregated desires of the people transacting in it.

The genealogy credits the real intellectual achievement here, because the marginal revolution was a genuine advance that solved real problems and the project's discipline is to grant the goods of every doctrine it analyses. The subjective theory of value is, within its domain, illuminating; it explains prices that the labour theory could not, and it gave economics a tool of great analytic power. But the warrant it supplied was not merely analytic, and this is what concerns the genealogy: by rendering the market as a system in which countless subjective valuations resolve, through the mechanism of price, into a determinate outcome, the marginalists made it possible to model the whole economy as a system of *equilibrium* — a structure of interlocking equations in which supply and demand, across all goods at once, balance to a unique and natural set of prices. Walras in particular built the theory of general

equilibrium, in which the entire economy is represented as a vast system of simultaneous equations that, under the right assumptions, possesses a solution: a single configuration of prices at which every market clears, every plan is realised, and the system rests. The market had become a machine, and a machine of a particular kind — a system that, like a physical system, tends toward and settles at an equilibrium, a natural resting state determined by its own internal laws.

II. Equilibrium Mistaken for Nature

The warrant that the mathematisation supplied lay in the quiet slide from a model to a nature, and the genealogy must mark it precisely because it is the subtlest of all the warrants and the one that most thoroughly governs the modern imagination of the market. The equilibrium of the general-equilibrium model is a property of the model — of its idealised assumptions of perfect competition, perfect information, perfect rationality, costless transaction, and the rest — and within those assumptions it is a real and demonstrable result, a genuine achievement of mathematical reasoning. But the assumptions are not the world, and the equilibrium they yield is not a fact about any actual economy but a feature of a highly idealised representation of one. What happened across the late nineteenth and twentieth centuries was the migration of equilibrium from the status of a model's property to the status of the economy's natural state — the coming to seem obvious that a market, left to itself and freed of interference, would tend toward its equilibrium as a pendulum tends toward rest, finding the natural prices and the efficient allocation that the mathematics described. The elegance of the equations lent the market the authority of physics: as a physical system obeys the laws of mechanics and settles to its lowest-energy state, so the market obeyed the laws of supply and demand and settled to its equilibrium, and the role of policy was simply to refrain from disturbing the natural settling.

This is the warrant of nature in its mathematical disguise, and it is more powerful than its predecessors precisely because it does not appeal to God or to a contested natural law but to the apparent neutrality of mathematics, which seems to describe rather than to prescribe. Yet the prescription is smuggled in with the description, in the choice of assumptions and in the treatment of the model's equilibrium as the economy's natural goal. The actual economy is not a frictionless system of perfectly informed rational agents; it is a thing of power, ignorance, monopoly, manipulation, crisis, and force, in which the conditions for the model's equilibrium are nowhere met and the equilibrium itself is a counterfactual idealisation. To call the market a self-equilibrating system, and to treat its departures from equilibrium as interferences with a natural process rather than as its normal condition, is to perform once more the move the whole genealogy tracks: to take a made arrangement, full of power and force, and to present it as a natural mechanism obeying natural laws, so that the arrangement's outcomes appear as nature's results and the force within it disappears behind the equations. The mathematics was real and the achievement was real; the naturalisation was the warrant, and it would pass, refined and qualified, into the most sophisticated form the doctrine ever took — the Austrian conception of the market as an order grown rather than made.

PART IX

THE ORDER NO MIND DESIGNED

The warrant in its most sophisticated and most honest form: how the Austrian economists, from Menger through Mises to Hayek, conceived the market not as a designed system nor as a crude state of nature but as a spontaneous order — grown, like language and the common law and money, through the uncoordinated actions of countless individuals and tested by survival; how Hayek's knowledge problem made this the most formidable case for the market ever framed; and why this warrant, which honestly concedes that the order is made-yet-evolved rather than natural, comes nearer than any other to escaping the genealogy's critique — and where, nonetheless, it does not — 1871–1988

I. Grown, Not Made

The most sophisticated warrant the market ever received, and in important respects the most honest, came from the Austrian school, which descended from Carl Menger — the same Menger of the marginal revolution — through Ludwig von Mises to Friedrich Hayek, and which conceived the market in a way that neither the theological nor the simple natural-rights nor the crude equilibrium warrants had managed. The market, for the Austrians, was neither a thing God ordained nor a state of nature that obtained when institutions fell away nor a machine settling to a calculable equilibrium; it was a *spontaneous order* — an order that arises not from anyone's design but from the uncoordinated actions of countless individuals each pursuing his own ends, generating, without intending it, a structure of immense complexity that no mind planned and no mind could plan. The model was language, which no one invented but which emerged from the speech of millions and serves them all; or the common law, which no legislator designed but which grew case by case into a coherent body; or money itself, which Menger showed could arise spontaneously from barter without any sovereign decreeing it. The market, on this view, is grown rather than made in the sense of designed — an evolved institution, shaped over centuries by a process of trial and survival in which the practices that coordinated human cooperation effectively persisted and those that did not fell away, so that the resulting order embodies a wisdom no individual possesses and represents the accumulated, tested experience of the species.

Hayek made this the most formidable case for the market ever framed, and he made it by way of the knowledge problem, which the collection has examined in its study of the two churches and which deserves its full weight here. The knowledge that a complex economy requires in order to function — the particular knowledge of time and place, of local conditions and shifting wants, dispersed across millions of minds and never available to any one of them — cannot be gathered into a central planner's bureau, because it exists only in the scattered and tacit form in which the individuals who hold it use it.

The market's price system, Hayek argued, is the only mechanism that can marshal this dispersed knowledge, each price summarising and transmitting the local knowledge of countless actors so that each can coordinate his plans with the plans of others he will never meet — a marvel of unconscious coordination that no designed system could replicate, and whose destruction by the planner is the destruction of the only means by which a complex society can know itself. From this it followed that the attempt to redesign the economic order from above, on a rational plan, was not merely difficult but a kind of hubris — the "fatal conceit," in Hayek's phrase, of imagining that a single mind could command the knowledge that only the evolved and distributed order contains.

II. The Most Honest Warrant, and Its Limit

This is the warrant the genealogy must engage most carefully, because it is the strongest and because it honestly concedes much of what the genealogy contends. The Austrian does not claim that the market is natural in the crude sense the earlier warrants asserted; he grants that it is made — made not by design but by evolution, grown rather than decreed, an institution and not a fact of physics. He does not pretend the order fell from heaven or obtains automatically when force withdraws; he insists, on the contrary, that it is the product of a long historical process and must be cultivated and defended. He even supplies, in Hayek's image of the social scientist as a gardener who tends a growth he cannot command rather than a craftsman who shapes dead material to his design, almost exactly the posture the collection itself urges against every revealed doctrine. The Austrian warrant is, in short, the tested rather than the revealed form of the market doctrine — a case for the market that argues for it as an evolved and beneficial institution rather than asserting it as a nature beyond argument — and to that extent it stands outside the procession of naturalisations the genealogy has tracked, and the volume credits it as the honest exception.

And yet it does not finally escape the genealogy's point, for two reasons that the synthesis will press and that must be marked here. The first is that an evolved order is still a made order, and being grown rather than designed does not make it natural in the sense that matters — does not make it a neutral baseline prior to politics, because it remains an arrangement that distributes power and advantage and that rests, like every property order, on a floor of force. The common law evolved, but it is enforced by the state's coercion; money emerged spontaneously, but its modern form is sustained by the central bank and the law of legal tender; the market grew, but the property rights that constitute it are defended, in the last instance, by the police and the prison and, at the frontier, by the army. That an institution evolved tells us it was not arbitrarily decreed; it does not tell us it is just, or neutral, or beyond the reach of the politics that might amend it. The second is that the Austrian warrant, honest in Hayek's own hands, did not remain in his hands; it passed to heirs who converted the careful claim that the market is an evolved order embodying dispersed knowledge into the cruder claim that the market is a self-correcting natural mechanism whose outcomes are efficient and just and whose every regulation is a fatal interference — and in that conversion the tested warrant became, once more, a revealed one. That conversion, and the church it built, is the last stage of the genealogy.

PART X

THE CHURCH OF THE SELF-CORRECTING

The warrant in its final, creedal form: how a deliberately organised movement, founded at Mont Pèlerin in 1947 and propagated through a network of institutes and departments, converted the evolved-order argument into the doctrine of the self-correcting market — the efficient, near-natural baseline from which every departure is an interference; how this doctrine became the legitimating creed of the order the collection's other volumes anatomised; and how Karl Polanyi had already answered it in advance, demonstrating that the free market, far from being the natural state that emerges when planning ceases, was itself the most deliberately planned construction of all — 1944–2026

I. The Council and the Creed

The final warrant was assembled by a deliberate and organised movement, and the genealogy insists on this because the movement's own self-image — that it merely defended the natural order of liberty against the artificial impositions of planning — is precisely the naturalisation the volume exists to expose. In April 1947, in the village of Mont Pèlerin above Lake Geneva, the economist Friedrich Hayek gathered thirty-nine like-minded thinkers, among them Milton Friedman, George Stigler, Karl Popper, and Ludwig von Mises, to found the Mont Pèlerin Society and to organise the intellectual defence and propagation of market liberalism against the planning and collectivism that dominated the post-war world. The historians of the movement have given it its accurate name — a thought collective, a deliberately constructed transnational network of scholars, foundations, and institutes whose purpose was to develop a doctrine and carry it, over a generation, from the academic margins to the commanding heights of policy. The doctrine they carried took Hayek's careful evolved-order argument and, in the hands of Friedman and the Chicago school and the wider movement, hardened it into a creed: the doctrine of the self-correcting market, the efficient market that allocates resources optimally if left alone, the market as the near-natural baseline of economic life from which every tax, every regulation, every public provision is a departure and an interference, a friction to be removed so that the natural order may resume.

This is the warrant of nature in its creedal form, and it is the scripture of the market church the collection's study of the two churches anatomised — the doctrine that, after the collapse of its rival in 1991, would declare itself not merely victorious but vindicated, the final form of human economic organisation, the end of history's argument about how an economy should be run. It is the warrant in which the naturalisation is most complete and most consequential, because it governed the policy of the most powerful states and institutions on earth across the decades the collection's other volumes tracked: the doctrine beneath the dollar order of *The Note*, beneath the shock therapies and structural

adjustments of *The Two Churches*, beneath the petrodollar and its lever in *The Logic of the Barrel*. And it performs, on the grandest scale, the move the genealogy has traced from the beginning: it takes a made arrangement — a particular structure of property, contract, money, and exchange, built and maintained by deliberate policy and resting on the floor of force the other volumes examined — and presents it as the neutral baseline, the natural condition that obtains when the state withdraws, so that the arrangement's defenders appear not as the architects of a chosen order but as the custodians of nature against the artificial impositions of those who would interfere. The whole apparatus of the genealogy's eight warrants culminates here, in a doctrine that has so thoroughly naturalised itself that its adherents can sincerely believe they are removing design rather than imposing it.

II. Polanyi's Rejoinder — The Planned Market

The decisive answer to this final warrant was written before the warrant reached its full creedal form, by an economic historian who saw the naturalisation for what it was and demonstrated its falsehood with the historical record. Karl Polanyi, in *The Great Transformation* of 1944 — the same year the dollar order was assembled at Bretton Woods — laid down the proposition that the whole genealogy converges upon: that the self-regulating market, far from being the natural state that emerges when planning and interference cease, was itself the most deliberately planned construction in the whole of economic history. The free market, Polanyi showed, did not arise spontaneously when the state stepped back; it had to be created, deliberately and often violently, by an enormous and sustained programme of state action — the enclosures that made land a commodity, the abolition of the old protections that had embedded economic life in social obligation, the legislative manufacture of markets in land and labour and money that had never before been treated as commodities to be bought and sold. *Laissez-faire was planned*, in Polanyi's exact and devastating phrase; the natural order of the free market was the most artificial of constructions, brought into being and held in being by the constant, deliberate intervention of the state, while the social protections that later arose to defend society against the market's ravages were the unplanned, spontaneous reactions of a society defending itself. The market that the creed presents as nature is the planned thing; the resistance to it is the spontaneous thing — the exact inversion of the warrant.

Polanyi saw, too, what the market doctrine had become in the hands of its zealots, and named it in the register the collection's study of belief requires: laissez-faire, he wrote, had been catalysed into a drive of uncompromising ferocity, an economic movement turned almost into a religious creed. This is the market church recognised by one of its sharpest historians as a church — a body of belief held with the fervour of faith, propagating a doctrine its adherents experienced not as a contestable arrangement but as the structure of reality itself. The genealogy's procession ends here, at the moment the made arrangement achieves its most complete naturalisation and a historian stands ready to show that the naturalisation is exactly backwards — that the market presented as found was in fact the most thoroughly made of all economic orders, and that the warrant of nature, in its final and most powerful form, is the managed belief that lets the most planned construction in history pass for the spontaneous order that appears when no one plans at all. What remains is to draw the genealogy's threads together, to state with care what the whole procession does and does not establish, and to hold, at full strength, the strongest objections to it.

PART XI

THE FORCE UNDER THE FLOOR

The synthesis and the verdict: that across five centuries the warrant for private property and the free market mutated through eight forms while its function never changed — to convert a made, force-backed arrangement into a neutral nature beyond the reach of politics; the honest distinction between made and arbitrary, granting that an evolved institution may be good without being natural; the strongest objections to the genealogy held at full strength, including the charge that it commits the genetic fallacy; the conditions under which its verdict would fail; and the genealogy's actual gift, which is not to abolish property but to return it to politics — 1493–2026

I. The Constant Function

The genealogy can now be drawn together, and its shape stated whole. Across five centuries, the warrant for the private ownership of the world and for the market through which it is exchanged mutated through eight distinct forms, each replacing the last as the last lost its power to persuade. It was, first, the gift of God to Adam and his heirs, and the donation of a vicar of Christ to Christian princes. Then, as the theological warrant cracked, it became the dictate of a natural law that reason discovered and that would bind, in Grotius's phrase, even if there were no God. Then, in Locke's hands, it became the fruit of labour, the world made one's own by the mixing of the self into it, and the reward of the improvement that turned waste into wealth — a warrant that, at the frontier, did the conquering work the papal donation had done. Then, in the subtler minds of the Scots, it was admitted to be no nature at all but an artificial convention, useful and beneficial but made — an admission the tradition would forget. Then the poverty the arrangement produced was naturalised as an iron law of population, beyond the reach of relief. Then the market itself was rendered as a mathematical equilibrium, a system settling to its natural state like a body coming to rest. Then, most honestly, as an order grown rather than designed, evolved like language and tested by survival. And finally as a self-correcting creed, the efficient and near-natural baseline from which every departure is an interference. Eight warrants — God, reason, labour, convention forgotten, iron law, equilibrium, evolved order, creed — and beneath the changing names a single, constant function: to take a made arrangement, resting in the last instance on force and distributing the world in some interests more than others, and to present it as the order of nature, prior to politics and beyond its reach.

The constancy of the function beneath the variety of the warrants is the genealogy's central finding, and it explains a great deal that is otherwise puzzling about the market doctrine — above all, its remarkable capacity to survive the refutation of each successive justification. When the theological warrant became unbelievable, the arrangement did not fall; it acquired a natural-law warrant. When the

natural-law warrant grew abstract, it acquired a labour warrant. When the labour warrant's provisos proved embarrassing, money dissolved them. When the Scots exposed the convention beneath the nature, the exposure was forgotten and the iron laws of the nineteenth century renaturalised what Hume had denaturalised. When the iron laws grew cruel, the mathematics of equilibrium lent a cleaner authority; when the equilibrium proved an idealisation, the evolved-order argument supplied a subtler ground; and when even that honest argument was wanted for cruder service, it hardened into the creed. The arrangement persisted through every change of warrant because the warrant was never the point — the point was always the naturalisation, the removal of the arrangement from the realm of things a free people may argue over, and any warrant that accomplished the naturalisation would serve, to be replaced by the next when it failed. This is the signature of a revealed doctrine in the collection's exact sense: a doctrine whose failures are never permitted to count as refutations, because the conclusion — that the arrangement is natural and necessary — is fixed in advance, and the warrants are merely the successive arguments recruited to defend a conclusion that was never genuinely at risk.

II. The Verdict, the Counter-Readings, and the Return to Politics

The verdict must be stated with the precision the subject demands, because the genealogy is easily mistaken for more than it claims, and the discipline of the collection is to claim exactly what the evidence supports and no more. The genealogy does not show that property is bad, or that the market is illegitimate, or that any particular arrangement of ownership is unjust; it shows that property and the market are *made* rather than *found*, arrangements rather than natures, and that their long appearance of naturalness is the most historical thing about them. The crucial distinction, which the volume has insisted on throughout and must now make explicit, is between *made* and *arbitrary*. To say that property is made is not to say it could be anything we chose, or that it is held in place by nothing but caprice, or that it could be abolished without cost. An institution may be made and also evolved, made and also beneficial, made and also the best arrangement available on the tested evidence — the Austrian warrant, in its honest form, is right about this, and the cruder conclusion that a made thing may be remade at will without consequence is the very high-modernist error the collection condemned in the planners of its other studies. The genealogy's target is not property but its naturalisation; not the arrangement but the warrant that places the arrangement beyond argument.

Three objections stand against the genealogy at full strength, and the volume holds them. The first, and the most serious, is the charge of the *genetic fallacy*: that to trace the historical origin of an idea is to say nothing about its truth or value, since a belief may have a disreputable pedigree and still be correct, and the warrants' having served power does not make the arrangement they warrant unjust. The volume grants the logic of this entirely, and concedes that the genealogy refutes neither property nor the market — that one could accept every word of the history and still hold, on independent grounds, that private property and free exchange are the best institutions humanity has devised. But the genealogy does not claim to refute the arrangement; it claims to disarm one specific and powerful defence of it — the defence from nature, the claim that the arrangement is not a choice at all but the neutral baseline, beyond politics, that obtains when interference ceases. That defence the genealogy does refute, because the defence is a historical claim and the history is against it; and disarming the defence from nature returns the arrangement to the status of a choice, which is the whole of what the genealogy seeks. The second objection, the *evolved-order* defence, holds that the market is grown and tested rather than designed and arbitrary; the volume grants this in full and answers, as it answered in

its study of the lever, that an evolved order backed by force is still an arrangement and not a neutral nature, still a political settlement that distributes power and may be amended by the politics it rests on. The third, the *indispensability* defence, holds that property and markets are simply the best means we have of coordinating dispersed human activity; the volume grants that this may well be true, and insists only that it is a *tested* claim, to be argued on its merits and revised when the evidence defeats it, and not a natural fact that forecloses the argument.

The conditions under which the genealogy's verdict would fail follow from this, and the volume publishes them in the collection's discipline. Evidence that property and the market are not in fact backed by force — that they would persist in their present form with no court, no police, no enforcement, no army at the frontier — would undo the claim that they rest on a floor of force and are therefore political rather than natural; but the evidence runs the other way, force being visible wherever property is contested. Evidence that the successive warrants were not recruited to defend a fixed conclusion but were genuinely abandoned when the arrangement they warranted was found wanting — that the doctrine revised the arrangement when a warrant failed, rather than merely replacing the warrant — would move the finding away from the revealed pattern toward the tested one; but the record shows the arrangement persisting through every change of warrant, which is the revealed signature. And the genealogy's actual gift, the thing it offers in place of the naturalness it takes away, is not the abolition of property but its return to politics. To show that the arrangement is made is to show that it is the kind of thing a free people may argue over, amend, hold to account, and choose differently — not a nature they must obey but a settlement they may revise. The market doctrine held as *revealed* insists on its naturalness and counts the costs it imposes — the dispossessed frontier, the workhouse, the lost decade, the captured president of the collection's other volumes — as the price of an order that was never up for debate. Held as *tested*, it concedes that it is made, argues for itself as the best available choice, and accepts revision when it fails. The whole burden of this genealogy, and of the collection it belongs to, is the difference between those two postures. Tested, not revealed: the floor was laid by someone, for some purpose, and a free people may ask whom it serves, and lay it differently.

A NOTE ON SOURCES

This is a work of synthesis, and every figure, date, and quotation has been verified to a primary or authoritative source; quotations from primary texts are kept short and contested matters are flagged as such.

The theological warrant follows Robert Filmer's *Patriarcha* (published 1680) and John Locke's refutation of it in the First Treatise of the *Two Treatises of Government* (1689); the papal form follows the bull *Inter Caetera* of Alexander VI (1493), the earlier *Romanus Pontifex* (1455), the Treaty of Tordesillas (1494), and the Doctrine of Discovery descended from them. The natural-law mutation follows the School of Salamanca (Vitoria's lectures on the American Indians), Hugo Grotius's *De Jure Belli ac Pacis* (1625) and its *etiamsi daremus* passage, and Samuel Pufendorf.

Locke's property theory follows the fifth chapter of the Second Treatise — self-ownership, the mixing of labour, the provisos of "enough and as good" and of spoilage, the dissolution of the provisos by money, and the declaration that government has no other end than the preservation of property — with the colonial application (waste, improvement, *vacuum domicilium*, *terra nullius*) following the scholarship on Locke's thought and his role in colonial administration. The Scottish turn follows David Hume's *Treatise of Human Nature* (1739) on justice as an artificial virtue and property as convention, and Adam Smith's *Wealth of Nations* (1776) and lectures on jurisprudence on the four-stages theory, the system of natural liberty, the single invisible hand, and his suspicion of the merchants.

The naturalisation of poverty follows Thomas Malthus's *Essay on the Principle of Population* (1798), written against Godwin and Condorcet, David Ricardo's *Principles* (1817) and the iron law of wages, and the New Poor Law of 1834. The mathematical warrant follows the marginal revolution of the 1870s (Menger, Jevons, Walras) and Walrasian general equilibrium. The evolved-order warrant follows the Austrian school from Menger through Mises to Hayek, and Hayek's knowledge problem, spontaneous order, and "fatal conceit." The creedal warrant follows the Mont Pèlerin Society (1947) and the "neoliberal thought collective" of Mirowski and Plehwe, the Chicago school, and Karl Polanyi's *The Great Transformation* (1944). The genealogy builds throughout on the collection's own studies of the two churches and the petrodollar's lever.

No verdict rests on the strongest form of any disputed claim. *Part of the collection* Patterns of Power. *Tested, not revealed.*